

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

Matthew Wise
(full name) (Register No.)

18-3018-CV-S-RK-P

Plaintiff(s).

Case No. _____

v.

Branson Police officer + et al
(Full name)

Defendants are sued in their (check one):

☐ Individual Capacity

☒ Official Capacity

☐ Both

Defendant(s).

COMPLAINT UNDER THE CIVIL RIGHTS ACT OF 42 U.S.C. § 1983

I. Place of present confinement of plaintiff(s): Jenney County @ Forsyth
MO.

II. Parties to this civil action:
Please give your commitment name and any another name(s) you have used while incarcerated.

A. Plaintiff Matthew Wise Register No. 22504
Address 22027 Main St Reeds Springs MO 65732

B. Defendant _____

Is employed as Branson Police officers, Arresting officer,
Sgt on duty

For additional plaintiffs or defendants, provide above information in same format on a separate page.

III. Do your claims involve medical treatment? Yes _____ No X

IV. Do you request a jury trial? Yes _____ No X

V. Do you request money damages? Yes X No _____

State the amount claimed? \$ 500 ~~20,000~~ (actual/punitive)

VI. Are the wrongs alleged in your complaint continuing to occur? Yes X No _____

VII. Grievance procedures:

A. Does your institution have an administrative or grievance procedure?

Yes X No _____

B. Have the claims in this case been presented through an administrative or grievance procedure within the institution?

Yes _____ No X

C. If a grievance was filed, state the date your claims were presented, how they were presented, and the result of that procedure. (Attach a copy of the final result.)

D. If you have not filed a grievance, state the reasons.

N/A to this institution.

VIII. Previous civil actions:

A. Have you begun other cases in state or federal courts dealing with the same facts involved in this case?

Yes _____ No X

B. Have you begun other cases in state or federal courts relating to the conditions of or treatment while incarcerated?

Yes X No _____

C. If your answer is "Yes," to either of the above questions, provide the following information for each case.

(1) Style: Matthew J. Vise David Forrester
(Plaintiff) (Defendant)

(2) Date filed: 12-15-17

- (3) Court where filed: Kansas City Western District of MO
- (4) Case Number and citation: 6:17-cv-03400-RK, CV 03393-RK
- (5) Basic claim made: ~~Unlawful access courts on legal materials~~ Unlawful arrest + Detention
- (6) Date of disposition: 3 12-16-17
- (7) Disposition: Pending
(Pending) (on appeal) (resolved)
- (8) If resolved, state whether for: N/A
(Plaintiff or Defendant)

For additional cases, provide the above information in the same format on a separate page.

IX. Statement of claim:

- A. State here as briefly as possible the facts of your claim. Describe how each named defendant is involved. Include the names of other persons involved, dates and places. Describe specifically the injuries incurred. Do not give legal arguments or cite cases or statutes. You may do that in Item "B" below. If you allege related claims, number and set forth each claim in a separate paragraph. Use as much space as you need to state the facts. Attach extra sheets, if necessary. Unrelated separate claims should be raised in a separate civil action.

I was in the Staples Parking lot in Branson MO in a vehicle waiting for a tow for my vehicle. While on private property I backed into another car. Without being called officer #1 the arresting officer saw my vehicle pulled into Staples property & asked if we (me and the lady who's car I hit) needed assistance. We both said "no". The officer then said "I'm going to detain you in the back of my car for your protection and mine. The Sgt then showed up, kept grilling me with questions, officer #1 read me my rights & they cuffed me and held me against my will in the back of a police car in front of 20-30 passing cars. I asked Officer #1 + Sgt asked -> Attached

- B. State briefly your legal theory or cite appropriate authority:

Unlawful arrest and detention. Officer Had No business at the scene on private property. I was not suspected of a crime when I was handcuffed & put in car. I was embarrassed, belittled, bullied and displayed for embarrassment. I was made to have an emotional breakdown & panic attack. #1 took my phone knowingly and admittedly. He stole my property and illegally searched it. I was an object of harassment of an disabled service connected Vet. I have been in jail 90+ days due to a false police report with blatant lies constructed by members of the Branson P.D. For the purpose of jailing me, ruining my reputation. I have lost my job, missed vital V.A. appointments, physically and mentally suffered due to the officers of Branson P.D. Blatant personal attack against me.

Side #1

Me for my insurance and registrations, I said it in my vehicle I think. ~~They~~ #1 stated "I'll go get it." I said "No you can not go into my vehicle." He then became hostile yelling at me, said "I can't let you get your phone but I will get it for you!" I said "No I'm not sure where it is."

Prior to #1 showing up I ran into staples after hitting the vehicle behind me with my vehicle because I got sick at my stomach, I suffer from PTSD from a car wreck in the movies where I watched my best friend die and my other best friend be kidnapped away where he died two days later.

Another officer brought back a glass oil burner and ~~asked~~ #1 asked if I would submit to a DNA sample. I said no, I want to be let go. #1 then wrote me 3 tickets while all the time on private property. 1) C+I, Failure to register, failure to show financial responsibility.

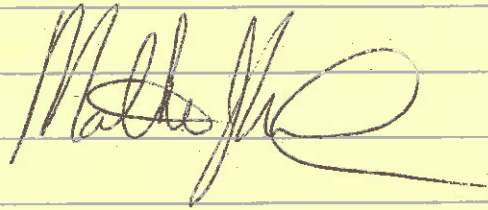
A couple days later, #1 saw me at a gas station asked me if I found my insurance, told me I had a warrant arrested me, (rightfully so) I am not disputing this arrest at this time. ~~He~~ ^{then} went inside, got my second phone that was charging in the "OFF" position and took me to Inyo CO jail.

The Booking officer told me that #1 had my cell phone with him and I cell phone he placed in my property. I banged on the cell window and asked #1 "Please do not take my phone!" He pointed to the Booking door as I saw ~~my~~ my phone in his hand he clearly took it on purpose. #1 then called the booking officer and asked if I was still there he "accidentally took my phone". She said "yes". He never brought my phone back. I saw where the phone was found and it's in evidence.

OVER

Please Mail Correspondence to

22027
~~22027~~ Main St
Reeds Springs MO 65732



- X. Relief: State briefly exactly what you want the court to do for you. Make no legal arguments.
Q. Want the city of Brauer to pay me for allowing #1 & Sgt to lie, #1 & Sgt he removed from jobs and compensate me for undue stress, financial losses, mental trauma, anguish and each day due lost of my life due to lies & purposeful harassment
- XI. Counsel:

A. If someone other than a lawyer is assisting you in preparing this case, state the person's name. _____

B. Have you made any effort to contact a private lawyer to determine if he or she would represent you in this civil action? Yes _____ No ☒

If your answer is "Yes," state the names(s) and address(es) of each lawyer contacted.

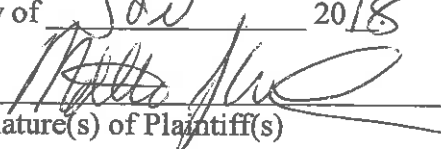
C. Have you previously had a lawyer representing you in a civil action in this court?

Yes _____ No ☒

If your answer is "Yes," state the name and address of the lawyer.

I declare under penalty of perjury that the foregoing is true and correct.

Executed (signed) this 7th day of Jan 2018



Signature(s) of Plaintiff(s)

Matthews wise
22027 main st
Reeds Springs MO 65732

CORRESPONDENCE
FROM A
CORRECTIONAL FACILITY

Clerks Office

U.S. District Court
Western District of MO
1400 U.S. Courthouse
222 John Q Hammons Pl
Springfield MO 65806



RECD JAN 9 2018

6580632559 COR2